

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SIROUS ASGARI,

Defendant.

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CASE NO. 1:16-CR-124

OPINION & ORDER
[Resolving Doc. [146](#)]

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

Defendant Sirous Asgari moves the Court to reconsider its April 3, 2018 order¹ denying his motion to waive his right to a jury trial.² The government opposes.³

A court may reconsider its previous ruling where Defendant shows a clear error of law, newly discovered evidence, an intervening change in controlling law, or the need to prevent “manifest injustice.”⁴

Defendant argues that new political tensions with Iran will make it impossible to empanel an unbiased jury. However, for the reasons set out in its previous order, the Court continues to be confident that the voir dire process will be sufficient to mitigate potential bias due to Asgari’s nationality and ensure that he receives a fair and impartial trial.

Defendant also asks that the Court permit the parties to question jurors during voir dire. The Court will permit the parties to address some questions to the jury.

¹ Doc. 114.

² Doc. 146.

³ Doc. 148.

⁴ See *Gencorp, Inc. v. American Int’l Underwriters*, 178 F.3d 804, 834 (6th Cir. 1999).

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Gwin, J.

For the foregoing reasons, the Court **DENIES** Defendant's motion for reconsideration.

IT IS SO ORDERED.

Dated: July 8, 2019

s/ James S. Gwin
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE